

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Atty LSN-1418-45
Dkt.

C# 6686 M#

ELY et al.

Serial No. 10/506,884

TC/A.U.

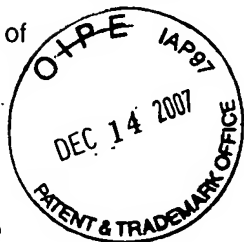
2863

Filed: March 22, 2005

Examiner: Aditya S. Bhat

Date: December 14, 2007

Title: POSITION SENSOR



Ifu

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

☐ **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment 116 minus highest number
previously paid for 20 (at least 20) = 96 x \$50.00 \$4800.00 (1202)/\$2400.00 (2202) \$ 0

Independent claims after amendment 5 minus highest number
previously paid for 5 (at least 3) = 0 x \$210.00 \$0.00 (1201)/\$0.00 (2201) \$ 0

If proper multiple dependent claims now added for first time, (ignore improper); add
\$370.00 (1203)/\$185.00 (2203) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
paper and attachment(s)

One Month Extension \$120.00 (1251)/\$60.00 (2251)
Two Month Extensions \$460.00 (1252)/\$230.00 (2252)
Three Month Extensions \$1050.00 (1253)/\$525.00 (2253)
Four Month Extensions \$1640.00 (1254)/\$820.00 (2254)
Five Month Extensions \$2,230.00 (1255)/\$1115.00 (2255) \$ 0

Terminal disclaimer enclosed, add \$130.00 (1814)/ \$65.00 (2814) \$

☐ Applicant claims "small entity" status. ☐ Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee \$180.00 (1806) \$ 0.00

Assignment Recording Fee \$40.00 (8021) \$ 0.00

Other: \$ 0.00

TOTAL FEE \$ 0.00

☐ **CREDIT CARD PAYMENT FORM ATTACHED.**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

901 North Glebe Road, 11th Floor
Arlington, Virginia 22203-1808
Telephone: (703) 816-4000
Facsimile: (703) 816-4100
LSN:kmr

NIXON & VANDERHYE P.C.

By Atty: Larry S. Nixon, Reg. No. 25,640

Signature: 



THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

ELY et al.

Atty. Ref.: 1418-45; Confirmation No. 6686

Appl. No. 10/506,884

TC/A.U. 2863

Filed: March 22, 2005

Examiner: Aditya S. Bhat

For: POSITION SENSOR

* * * * *

December 14, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO ALLEGED NON-RESPONSIVE SUBMISSION

In response to the communication dated November 16, 2007, reconsideration is respectfully requested.

The allegation that Applicant's August 24, 2007 response to the earlier Restriction Requirement was somehow "non-responsive" is believed to be clearly erroneous.

The Applicant's response of August 24, 2007 to the Office Action dated 07/25/2007 does not make any amendment to the claims in this case. Accordingly, MPEP §714 is not applicable.

The undersigned has never before been required to submit a complete resubmission of all pending claims merely when responding to a restriction requirement. Only if an amendment of those claims is made is any such resubmission or re-listing of the claims required under current rules.

Nevertheless, in an attempt to obviate and/or moot the outstanding issue, the following re-presentation of all pending claims is made with appropriate status identifiers, taking into the account the election that has now been made in response to a restriction requirement and assuming that the Examiner will make the restriction requirement “final” and actually withdraw these non-elected claims from further consideration.

In this regard, the Examiner is respectfully reminded that the elected claims are believed to be generic to the third-identified patentably distinct species on which claims 57-60 are also believed to be readable.